

1 THE HONORABLE RICARDO S. MARTINEZ
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10 UNITED STATES DISTRICT COURT
11 WESTERN DISTRICT OF WASHINGTON
12 AT SEATTLE

13 POLSKIE LINIE LOTNICZE LOT S.A.,
14 Plaintiff,
15 vs.
16 THE BOEING COMPANY,
17 Defendant.

Case No. 2:21-CV-01449-RSM

STIPULATED MOTION AND ORDER
FOR LEAVE TO FILE PLAINTIFF LOT'S
REDACTED FIRST AMENDED
COMPLAINT

NOTING DATE: NOVEMBER 8, 2022

18 **INTRODUCTION**

19 Pursuant to Local Civil Rule 5(g)(3)(B)(iii), Plaintiff Polskie Linie Lotnicze LOT S.A.
20 (“LOT”) and Defendant The Boeing Company (“Boeing”) respectfully move the Court to grant LOT
21 leave to file a redacted version of its First Amended Complaint and maintain the unredacted copy
22 under seal. The proposed complaint for filing is attached as Exhibit A.

23 **PROCEDURAL HISTORY**

24 The Parties jointly follow up on their prior request to seal LOT's First Amended Complaint,
25 which the Court granted on November 1, 2022. *See* ECF No. 44. After meeting and conferring on
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STIPULATED MOTION AND ORDER FOR LEAVE TO FILE LOT'S
REDACTED FIRST AMENDED COMPLAINT
Case No. 21-cv-1449-RSM
92512049

1 November 7, 2022,¹ the Parties now agree that four (4) paragraphs (out of 1,105 total) of the First
 2 Amended Complaint should remain under seal to protect Boeing and its customers' confidential
 3 contracts.

4 **LEGAL STANDARD AND ARGUMENT**

5 This stipulation adopts and incorporates by references the parties' Stipulated Motion and
 6 Order for Leave to File Document Under Seal at ECF No. 44. For the reasons set out in the Stipulated
 7 Motion, the particular contractual terms of the AGTAs excerpted or summarized in LOT's First
 8 Amended Complaint—specifically at paragraphs 644, 646, 647, and 974 of the First Amended
 9 Complaint—should be redacted in the public filing. Redacting four out of the First Amended
 10 Complaint's 1,105 total paragraphs (or 0.36% of the First Amended Complaint) is the least
 11 restrictive method available to ensure protection of Boeing's confidential and sensitive information.
 12 *See LCR 5(g)(3)(B)(iii)* (requiring the least restrictive method to ensure protection of material to be
 13 sealed). Because there are no less restrictive alternatives available, the parties agree that redaction
 14 is appropriate.

15 **CONCLUSION**

16 For the foregoing reasons, the Parties respectfully request that this Court grant LOT leave to
 17 file LOT's redacted First Amended Complaint, attached as Exhibit A, leaving sealed only four
 18 specific paragraphs that disclose the contents of Boeing's proprietary business contract (the AGTA).

19 IT IS SO STIPULATED by and between the Parties.

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 24 ¹ The parties (Anthony U. Battista, Evan Kwart, and Mirin Park on behalf of LOT and
 25 Ulrike B. Connelly and Michelle Maley on behalf of Boeing) telephonically conferred on
 26 November 7, 2022 and reached agreement on which parts of the First Amended Complaint require
 redaction—that is, parts of the complaint referencing or excerpting Boeing's Aircraft General
 Terms Agreements ("AGTAs").

1 DATED: November 8, 2022

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37 *Attorneys for Defendant*
38 *The Boeing Company*

39 Based upon the foregoing Stipulation, the Court hereby:

40 ORDERS, ADJUDGES AND DECREES that the redacted copy of Plaintiff
41 POLSKIE LINIE LOTNICZE LOT S.A.'s First Amended Complaint may be filed
42 on the docket.

43 IT IS SO ORDERED.

44 DATED this 10th day of November, 2022.

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46 RICARDO S. MARTINEZ
47 UNITED STATES DISTRICT JUDGE